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ELENA NACARINO,
Plaintiff,
v.
CHOBANI, LLC,
Defendant.

Case No. [20-cv-07437-EMC](#) (AGT)

DISCOVERY ORDER

Re: Dkt. No. 105

11 1. *ESI custodians.* Chobani must add as custodians the four Chobani employees plaintiffs
12 have identified (Peter Krell, Parul Shah, Meredith Kuchera, and Courtney Tooker). Plaintiffs assert,
13 and have submitted documents to support, *see* Dkt. 106-3, -4, -5, that these four employees tested,
14 reformulated, or procured the vanilla flavoring used in the yogurt at issue.

15 Chobani hasn't convinced the Court that the requested discovery is unreasonably cumulative
16 or duplicative, or that adding the new custodians, which will increase the number of Chobani
17 custodians from seven to eleven, is disproportionate to the needs of the case. Chobani must search
18 the new custodians' ESI and produce responsive documents by February 8, 2023.

19 2. *Depositions.* Chobani must make the new custodians available for depositions. Each side
20 may conduct up to ten depositions before needing leave of court to conduct more. *See* Fed. R. Civ.
21 P. 30(a)(2)(A)(i). Plaintiffs haven't reached that limit. If plaintiffs would prefer to depose the new
22 custodians before deposing other Chobani employees, plaintiffs may do so. The Court expects the
23 parties to be able to agree to a schedule, based on the availability of counsel and the deponents.

24 **IT IS SO ORDERED.**

25 Dated: January 24, 2023

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ALEX G. TSE
United States Magistrate Judge